

Congress of the United States
Washington, DC 20515

March 30, 2023

The Honorable Antony Blinken
Department of State
2201 C Street, NW
Washington, DC 20520

The Honorable Alejandro Mayorkas
Department of Homeland Security
301 7th Street, SW, Mail Stop 0150
Washington, DC 20528-0150

Dear Secretary Blinken and Secretary Mayorkas,

We are deeply concerned about recent news reports indicating that “busloads” of migrants from the People’s Republic of China (PRC) are being released into the interior of the United States.¹ These reports have been accompanied by an alarming 920% increase in Chinese national encounters at the U.S. border² – with daily numbers shattering records that date back more than a decade.³

Making matters worse, the ruling Chinese authorities openly declared the PRC a recalcitrant country just a few months ago,⁴ vowing to refuse cooperation with U.S. efforts to remove or repatriate PRC citizens back to their own country – even if they go on to commit serious crimes in ours.

This is something that the migrants and smugglers no doubt understand and helps explain the premium Chinese migrants are paying to make the dangerous trip. On average, PRC nationals pay an average of \$30,000 – more than three times the average price to smuggle a Mexican migrant. In one instance, the price was reportedly as high as \$80,000.⁵ In other words, the surge in illegal Chinese migrants represents a lucrative new source of revenue for human trafficking networks already generating an estimated \$20 billion per year.⁶

What is perhaps more disturbing is that the administration seems to be doing very little to hold China’s unelected leaders and elites accountable. This makes little sense given that both of you have a powerful tool at your disposal to do exactly that.

As you know, Section 243(d) of the Immigration and Nationality Act states in part that any time the Secretary of Homeland Security notifies the Secretary of State that a foreign government “denies or unreasonably delays accepting an alien who is a citizen, subject, national, or resident of that country,” the Department of State “shall order consular officers in that foreign country to

¹ <https://www.foxnews.com/politics/fox-footage-shows-release-chinese-nationals-us-amid-massive-spike-encounters>

² <https://twitter.com/GriffJenkins/status/1637422716750909441?s=20>

³ <https://www.valleycentral.com/news/south-texas-sees-surge-of-chinese-migrants-crossing-border-illegally-chief-says/>

⁴ <https://www.washingtontimes.com/news/2022/aug/25/new-bill-would-punish-china-for-refusing-to-take-b/>

⁵ <https://www.washingtontimes.com/news/2022/dec/15/illegal-immigrant-china-paid-80000-be-smuggled-us/>

⁶ <https://www.washingtontimes.com/news/2022/sep/27/20-billion-payday-joe-bidens-border-surge-sends-sm/>

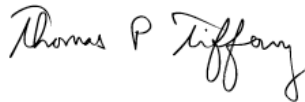
discontinue granting immigrant visas or nonimmigrant visas, or both.”⁷ Despite the clear wording of this law, however, the website of the U.S. Embassy in Beijing continues to advertise “regular visa services” at several American missions in the PRC.⁸

Along these lines, we would like to know if the Department of Homeland Security (DHS) has notified the State Department of China’s very public decision to refuse repatriation. If such a notification has not yet been communicated to the Department of State, we would like to know when DHS plans to do so.


If DHS has notified the State Department, we would like to know why visas are still being issued by U.S. missions to PRC nationals, and how many such visas have been issued since the Chinese government’s open declaration of non-cooperation in August.

Thank you in advance for your attention to this matter, and we look forward to hearing from you.

Sincerely,



Tom Tiffany
Member of Congress



Lance Gooden
Member of Congress



Scott Perry
Member of Congress



Andy Ogles
Member of Congress

⁷ Congressional Research Service (2020, July 10) “*Recalcitrant*” Countries and the Use of Visa Sanctions to Encourage Cooperation with Alien Removals

⁸ <https://china.usembassy-china.org.cn/visas/nonimmigrant-visas/> retrieved March 28, 2023